

## **AFFIDAVIT OF LOST MEMBERSHIP CERTIFICATE**

\_\_\_\_\_, first being duly sworn upon his/her oath, states and deposes  
Name  
as follows:

1. My name is \_\_\_\_\_.
2. I own \_\_\_\_\_ units of membership interest in Biofuels, LLC, a Missouri limited liability company, as evidenced by a certificate issued to me.
3. A diligent search for the certificate has been made, but the whereabouts of said certificate cannot be ascertained.
4. The certificate has been lost, misplaced or destroyed by accident or inadvertence.
5. The undersigned warrants and represents that:
  - A. these units of membership interest have not been sold, transferred, endorsed, assigned, pledged, encumbered or deposited with any person or entity under any agreement;
  - B. no power of attorney or other authorization has been signed regarding the units of membership interest which are now outstanding and in force or will be effective in the future.
  - C. no person, entity or governmental agency other than the undersigned has asserted any right, title, claim, equity or interest in the membership interest.
6. The undersigned requests, and this affidavit and agreement of indemnity is made for the purpose of, inducing Biofuels, LLC: (i) to refuse to recognize any person other than the undersigned as the owner of the membership certificate; (ii) to refuse to make any payment, transfer, registration, delivery or exchange called for by the original membership certificate to any person other than the undersigned; (iii) to refuse to take any other action pursuant to the request or demand of any person other than the undersigned; and (iv) to issue a new or duplicate membership

certificate in substitution for the original membership certificate, or to make payment, transfer, registration, delivery or exchange called for by the membership certificate without the surrender thereof for cancellation.

7. In the event that the original certificate is located, then the undersigned agrees to surrender the certificate promptly to the limited liability company.

FURTHER AFFIANT SAYETH NOT.

Printed Name: \_\_\_\_\_

STATE OF MISSOURI     )  
  ) ss.  
COUNTY OF \_\_\_\_\_ )

Now on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me personally appeared \_\_\_\_\_, to me known to be the person who executed the foregoing Affidavit of Lost Membership Certificate and acknowledged the statements contained therein to be true to his/her best knowledge and belief.

IN WITNESS WHEREOF, I have hereto set my hand and affixed my official seal on the day first above written.

\_\_\_\_\_  
Notary Public